

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

United States of America,

Cr. 07-40014

Plaintiff,

vs.

**DEFENDANT'S MOTIONS
IN LIMINE**

David Boschee,

Defendant.

COMES NOW the Defendant by and through his attorney, John A. Schlingens,
respectively submits the following Motions in Limine.

1. Defendant moves this Court for its Order in Limine precluding the Government by and through introduction of evidence or argument regarding lack of consent of the purported victim.
2. Defendant moves this Court for its Order in Limine precluding the Government by and through introduction of evidence or argument asserting or implying the use of force with regard to the "illicit sexual activity", sexual penetration or sexual contact.
3. Defendant moves this Court for its Order in Limine precluding the Government by and through the introduction of evidence or argument asserting or implying that the Defendant engaged in sadomasochistic type acts of restraint, collaring, gagging, strangling, whipping, and/or biting.
4. Defendant moves this Court for its Order in Limine precluding the Government by and through the introduction of evidence or argument that the Defendant possessed or had in his control pornographic images (other than the purported victim).

5. Defendant moves this Court for its Order in Limine requiring the Government to make a showing to the Court prior to the time of the introduction of any evidence regarding any prior convictions relating to the Defendant.
6. Defendant moves this Court for its Order in Limine precluding the Government by and through the introduction of evidence or argument any other 404(b) evidence other than the evidence specifically stated in the Government's Notice pursuant to Federal Rules of Evidence 413 and 404(b) (i.e., child pornography and sadomasochistic abuse).

Dated this 13th day of February, 2008.

STUART, GERRY & SCHLIMGEN,
Prof. LLC

By: /s/ John A. Schlimgen
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